

## **REMARKS/ARGUMENTS**

Claims 1-9 are pending in the present application. By this Amendment, claim 1 is amended to correct a typographical error in the claims, and claims 5-9 are canceled. Reconsideration of the claims is respectfully requested.

In this Amendment, applicants have canceled claims 5-9 from further consideration in this application. Applicants are not conceding that the subject matter encompassed by claims 5-9 is not patentable. Claims 5-9 are canceled in this Amendment solely to facilitate expeditious prosecution of the remaining claims. Applicant respectfully reserves the right to pursue additional claims, including the subject matter encompassed by claims 5-9, as presented prior to this Amendment in one or more continuing applications.

### **I. 35 U.S.C. § 103, Obviousness, claims 1-9**

The examiner has rejected claims 1-9 under 35 U.S.C. § 103 as being unpatentable over Xie et al. (U.S. Publication No. 2004/0068586) (hereinafter “*Xie*”) in view of Fremantle et al. (U.S. Publication No. 2005/0278417) (hereinafter “*Fremantle*”). This rejection is respectfully traversed.

The examiner states:

4. Regarding claim 1, Xie discloses a method/system as shown on Fig. 1 for a web services gateway (e.g. web service broker 104) to enable a web client (e.g. client applications 102b) to access a web service (106a) (abstract), the method comprising the steps of:

receiving a profile from the web service, the profile containing a details (e.g. 212, 214, 216) of how to communicate with the web service (paragraph 0035) and being in a format not recognizable (e.g. usable) to the web client (paragraph 0030 & 0066);

creating a document (e.g. WSDL description) based on the profile (0035, 0044), the document containing details of how to communicate (e.g. invoke) with the web service via the gateway (paragraph 0027, and e.g. details 212, 214 and 216 on paragraph 0057); and

providing (loading) to a third party (e.g. UDDI registry by an affiliated party), information relating to the web service (i.e. description of a particular web service, paragraph 0044), and

However, Xie does not explicitly disclose where the document is in a format recognizable to the web client nor where a third party provides information related to the web service, particularly including a location from which the document can be obtained by the web client.

Fremantle teaches web service gateway or web service server to provide a modified document based on the document profile, such as a WSDL, describing a target service to a requesting client which contains details which have been tailored for that client (see abstract). Providing to a third party (e.g. UDDI directory) which publishes information related to the web service (see paragraph 0003) where the client obtains a location (e.g. URL) from which said document can be obtained by the web client (see

paragraph 0003), particularly where said document based on the profile has been modified in a form accessible by the client (see paragraph 0036).

It would have been obvious to one of ordinary skilled in the art at the time the invention was made given by the teachings of Xie and Fremantle before them, to modify Xie teachings to include that the client or application uses the document such as WSDL to access web services taught by Fremantle. One would be motivated to combine these teachings because these documents that are provided by the gateway describes details how to access the web services which is specified with the clients request.

Office Action dated November 27, 2007, pages 2-4.

The examiner bears the burden of establishing a *prima facie* case of obviousness based on the prior art when rejecting claims under 35 U.S.C. § 103. *In re Fritch*, 972 F.2d 1260, 23 U.S.P.Q.2d 1780 (Fed. Cir. 1992). For an invention to be prima facie obvious, the prior art must teach or suggest all claim limitations. *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974). Independent claim 1 with regard to similarly recited subject matter, reads as follows:

1. A method for a web services gateway to enable a web client to access a web service, the method comprising the steps of:
  - receiving a profile from the web service, the profile containing details of how to communicate with the web service and being in a format not recognisable to the web client;
  - creating a document based on the profile, the document being in a format recognisable to the web client and containing details of how to communicate with the web service via the gateway; and
  - providing, to a third party, information relating to the web service and a location from which the document can be obtained by the web client;
  - thereby enabling the web client to use the document to access the web service via the web service gateway.

Applicants agree with the examiner that *Xie* does not disclose where the document created based on the profile is in a format recognisable to the web client, nor that the information provided to a third party comprises a location from which the document can be obtained by the web client. While the examiner relies on the *Fremantle* reference as disclosing these features missing from the *Xie* reference, the *Fremantle* reference is disqualified as prior art under 35 U.S.C. § 103(c).

35 U.S.C. § 103(c) reads as follows:

(c) Subject matter developed by another person, which qualifies as prior art only under one or more of subsections (e), (f), and (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

Applicants respectfully submit that the present application and *Fremantle* were, at the time the invention of the present application was made, commonly owned by International Business Machines

Corporation. *See* MPEP 706.02(I)(1). Therefore, under 35 U.S.C. § 103(c), *Fremantle* may not be used as a reference under 35 U.S.C. § 103 to reject the claims of the present application. Applicants therefore respectfully submit that claims 1-9 are patentable over the cited references and respectfully request that claims 1-9 be allowed.

In addition, the *Xie* still does not teach the feature of receiving a profile from the web service, the profile containing details of how to communicate with the web service and being in a format not recognisable to the web client. In particular, *Xie* does not teach that the profile received from the web service is in a format not recognisable to the web client. The examiner alleges that this feature is found in the following cited sections of *Xie*:

In an embodiment, the broker accesses the transformation information to transform the results from the invoked web service to a proper data form and format that the requesting application can use. Hence, the broker can transform data from the calling application to data that particular web services can use, and transform data returned by the web service, e.g., the requested data.

*Xie*, paragraph 0030.

In one embodiment, which embodies the two-way functionality of web service broker **104**, the requested information is received by the web service broker **104** from the particular web service that was invoked to service the request and, based on the transformation information, the requested information is transformed to data that the requesting application can use. For example, the data is formatted according to the requirements of application **102a**, based on transformation information **202**. The transformed requested information can then be passed back to application **102a** in a format that is useful to application **102a**, or can be deposited or saved to a repository for retrieval by the source application **102a**. The repository may be shared by multiple source applications and multiple instances of source applications.

*Xie*, paragraph 0066.

Paragraph 0030 of *Xie* discloses a web services broker which transforms results from an invoked web service to a data form and format that the requesting client application can use. The web services broker may also transform data output by the client application to data that the web service can use. The web services broker transforms the data using transformation information comprising one or more service mappings describing relationships between application data, web service data, invocation requirements, and rules or directions for generating web services input requests from client application output data (*Xie*, paragraph 0046).

Paragraph 0066 of *Xie* also discloses that a web service uses the transformation information to transform data to a form which the requesting client application can use. The transformed data may be passed back to the client application in a format useful to the application or can be saved in a repository for retrieval by the application.

While *Xie* discloses having a web services broker use transformation information to transform data output from a client application to a form usable by the target web service or transform a result from the web service to a form usable by the requesting client application, *Xie* does not teach or suggest receiving a profile from the web service in a format not recognisable to the web client. *Xie* merely mentions using “profiles” recorded for web services as a basis for the transformation information. *Xie* discloses that a profile of a web service may be obtained during design, development or deployment of an invoking client application and comprise a reference to a WSDL description of the web service published in UDDI. (*Xie*, paragraph 0044) However, nowhere does *Xie* disclose that the *profile* received from the web service is in a format not recognisable to the web client. Rather, *Xie* merely teaches that the data output from a requesting client application may need to be transformed to a format useable by the target web service, or that the result output from the web service may need to be transformed to a format usable by the requesting client application. The profile information of the web service is only disclosed in *Xie* as being a basis of the transformation information, in contrast with both providing details of how to communicate with the web service and being in a format not recognisable to the web client as recited in the presently claimed invention. Consequently, *Xie* does not teach or suggest receiving a profile from the web service, the profile containing details of how to communicate with the web service and being in a format not recognisable to the web client as recited in claim 1.

As claims 5-9 have been canceled, the rejection of these claims is now moot.

Since claims 2-4 depend from claim 1, the same distinctions between *Xie* and the claimed invention in claims 2-4 are applicable to these dependent claims. Additionally, claims 2-4 recites other additional combinations of features not suggested by *Xie*. For example, claim 2 recites receiving a request from the web client for the web service, the request including the details of the document. Applicants agree with the examiner that this feature is not disclosed by *Xie*. Although the examiner points to *Fremantle* as teaching this feature, *Fremantle* is disqualified as prior art under U.S.C. § 103(c) as explained above. Similarly, claim 3 recites receiving a request, at the location, from the web client for the web service. Again, applicants agree with the examiner that this feature is not disclosed by *Xie*. *Fremantle* is also disqualified as prior art under U.S.C. § 103(c) as explained above. Consequently, *Xie* does not teach or suggest all of the features in dependent claims 2-4.

Therefore, the rejection of claims 1-9 under 35 U.S.C. § 103 has been overcome.

## **II. Conclusion**

It is respectfully urged that the subject application is patentable over the cited references and is now in condition for allowance.

The examiner is invited to call the undersigned at the below-listed telephone number if in the opinion of the examiner such a telephone conference would expedite or aid the prosecution and examination of this application.

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Respectfully submitted,

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